

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lalita W. Pace on 24 August 2009.

The application has been amended as follows:

In the claims:

1. (currently amended): A method of negative acknowledgment (NAK) suppression, the method comprising the steps of:

in a receiver,

determining that a NAK needs to be transmitted over a channel for a first time;

determining if data or other channel information currently needs to be transmitted over the channel; ~~and~~

determining if a predetermined number of NAKs have been buffered; and

transmitting the NAK only when data and other channel information does not need to be transmitted over the channel and when the predetermined number of NAKs equal to an amount of NAKs required to fill an over-the-air frame have been buffered, otherwise buffering the NAK.

2. – 3. (canceled)

4. (currently amended): A method comprising the steps of:

in a receiver,

determining that a NAK needs to be transmitted over a channel for a first time;

determining a number of NAKs currently buffered; and

determining if data or other channel information currently needs to be transmitted over the channel; and

transmitting the NAKs currently buffered along with the NAK only when the predetermined number of NAKs equal to an amount of NAKs required to fill an over-the-air frame have been buffered and only when data and other channel information does not need to be transmitted over the channel, otherwise buffering the NAK.

5. – 6. (canceled)

7. (currently amended): An apparatus comprising:  
a buffer storing NAKs; and

logic circuitry coupled to the buffer, the logic circuitry having a transmission status of a transmitter as an input and outputting instructions for a NAK generator to generate NAKs only when a transmission status of the transmitter comprises information that no data or other channel information is currently awaiting transmission and comprises information that a predetermined number of NAKs equal to an amount of NAKs required to fill an over-the-air frame have been buffered.

8. – 9. (canceled)

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

Figures 1-3: Print the following label under the figure number: (Prior Art).

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTINE DUONG whose telephone number is (571)270-1664. The examiner can normally be reached on Monday - Friday: 830 AM-6 PM EST with first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Unit 2416

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Examiner, Art Unit 2416

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